MR. S. KRISHNA AIYAR (*Nominated*) : I would suggest that certain rules should be followed for the procedure of this House giving certain Bills at certain stage precedence over the other matters of business.

The motion was put to the vote of the House and carried. Leave was granted.

THE TRAVANCORE SPECIAL MARRIAGE AND SUCCESSION BILL.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, I beg to move under standing order No. 4 (2) in the standing order of the Sri Mulam Assembly that leave be granted to me to take charge and continue the Travancore Special Marriage and Succession Bill introduced by Mr. K. Kunjukrishna Pillai in the first Assembly.

MR. E. SUBRAMONIA AIYAR (*Nominated*) : I second the motion.

The motion was put to the vote of the House and carried. Leave was granted.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, now I may be given permission to propose the Members of the Select Committee to which the Bill may be referred. So I move Sir, that a Select Committee be constituted consisting of the following members:—

1 Mr. S. Chattanatha Karayalar.
2 Mr. S. Krishna Aiyar,
3 Mr. E. Subramonia Aiyar.
4 Mr. N. Ramakrishna Pillai.
5 Sry. Devaki Antharjanam.
6 Mr. K. R. Narryanan.
7 Mr. K. C. Karunakaran.
8 Mr. T. T. Kesavan Sastri.
9 Mr. N. John Joseph
10 Mr. M. L. Janardhanan Pillai
11 Mr. Kottalil P. Abraham
12 Mr. P. C. Adichan
13 Mr. D. Francis
14 Mr. Joseph Vithayathil
15 Mr. P. Sivarama Pillai
16 Mr. Kynikara M. Padmanabha Pillai
17 Mr. Puthupally S. Krishna Pillai, and
18 Mr. Puliyoor T. P. Velayudhan Pillai

and the committee to submit its report within 4 months.

MR. T. T. KESAVAN SASTRI (*Nominated*): Sir, I second the motion.

The motion was put to the vote of the House and carried and Select Committee was constituted.

THE TRAVANCORE AGRICULTURISTS' RELIEF ACT (AMENDMENT) BILL.

MR. JOSEPH VITHAYATHIL: Sir, I move that leave may be granted to me to introduce the Travancore Agriculturists' Relief Act(Amendment) Bill. Under Standing Order 31 I can make a statement in support of the motion only with the permission of the President and that if the motion is opposed.

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PRESIDENT : Is the motion opposed ? As the motion is not opposed it will be put to the vote of the House. The question before the House is whether leave may be granted to introduce the Travancore Agriculturists' Relief Act (Amendment) Bill.

The motion was put to the vote of the House and carried and leave was granted.

THE TRAVANCORE CHILD MARRIAGE RESTRAINT BILL.

PRESIDENT : I find that on the last occasion, Mr. E. Subramonia Iyer just expressed his thankfulness and was about to start with his speech. Mr. E. Subramonia Iyer may begin now.

MR. E. SUBRAMONIA AIYAR : Sir, as I said the other day, I am very much thankful to the honourable members of this Assembly who have been good enough to state their reasons for opposing the amendment put forward by me. So far as I am able to understand them, their complaint seems to be that if my amendment is accepted the Bill might become futile, at any rate the utility of the Bill would be very much diminished. Sir, I regret I am unable to agree with the views of those honourable members who thought it best to oppose the amendment on that ground. So far as the amendment is concerned, taking Section 6, it could be seen if sub-clause (2) is deleted the provision would not be touched in any serious way; only it will make the Section more reasonable and more consistent with our notions of rights and liabilities as understood in civilized jurisprudence. I pray your permission to read Section 6 over again :

> " Where a minor contracts a child marriage, any person having charge of the minor whether as a parent or guardian or in any other capacity lawful or unlawful" (relatives are spread very wide) "who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised shall be punished with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both :"

So, so far as this section goes, it not only makes a person liable for his acts but also for defaults. If, as a matter of fact, child marriage is something to be restrained, certainly any person who actually brings about or promotes a child marriage must be punished. Then, a person who permits it to be solemnised may not come under the words actual promotion of the marriage. Therefore, it will cover up those cases which may not come under the actual promotion of the marriage and this term is wide enough for the meaning of the word 'permits' will depend more or less upon the sub-conscious bias of the presiding officer who hears the case. Not satisfied with that, the Legislature wanted to see that an omission to prevent it from being solemnised is made punishable. Well, I do not attack that aspect of the section but when we come to clause, 2 when negligence is to be established, the section says

> "For the purpose of this section, it shall be presumed" (not ,it may be presumed, because that will not meet the situation) unless and until the contrary is proved, that where a minor has contracted a child marriage, the person having charge of such minor has negligently failed to prevent the marriage from being solemnised."

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